

REMARKS

This application has been reviewed in light of the Office Action dated July 18, 2005. Claims 94, 100, 104, 108 and 109 are presented for examination, of which Claims 94, 100 and 104 are in independent form. Claims 94, 100 and 104 have been amended to define still more clearly what Applicant regards as his invention. Claims 108 and 109 have been added to provide Applicants with a more complete scope of protection. Non-elected Claims 1-93, 95-99, 101-103 and 105-107 have been canceled without prejudice or disclaimer of subject matter. Favorable reconsideration is requested.

Claim 100 was rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter (paragraph 3 of the Office Action). That paragraph, however, then purports to discuss Claim 94, rather than method Claim 100, although the terms of the discussion seem to apply to a method claim and not to an apparatus claim. Accordingly, it is understood that this rejection was actually directed to method Claim 100, and not to apparatus Claim 94.

In any event, however, all the claims have been carefully reviewed and amended as deemed necessary to ensure that they comply fully with the requirements of Section 101. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 94, 100 and 104 were rejected under 35 U.S.C. § 103(a) as being obvious from admitted prior art ("AAPA") in view of U.S. Patent 6,567,787 (Walker et al.), or as being obvious from those documents in view of either U.S. Patent Application Publication 2002/0007318 (Alnwick) or U.S. Patent 6,009,412 (Storey).

As is described in somewhat more detail in the application, the present invention is intended to mitigate or resolve various problems and inconveniences that have

been encountered in conventional systems for the collecting of used office supplies such as toner cartridges, and other used portions or components of office machines. In particular, a number of such inconvenience arises because different models or types of machines provide for the collecting of different parts: one model may provide only for collecting used toner cartridges, while another may be structured so that the photosensitive drum, and possibly other elements as well, are included in the cartridge structure and thus are collected for re-processing or recycling along with the exhausted toner container.

Independent Claim 94 is directed to a server, capable of communication with a plurality of client computers through a computer network, for discriminating log-in information received from each client computer, and transmitting data of an order screen used by a user for the purpose of ordering a new consumable, to a logged-in client computer. The server of Claim 94 comprises a first input section, arranged to input order data inputted by a user who uses the order screen displayed on a monitor of the logged-in client computer, and a second input section, arranged to input collecting data of a used consumable returned from the user. A database stores the order data and the collecting data in relation with the log-in information, and a calculator calculates an incentive based on a plurality of the order data and a plurality of the collecting data stored in the database in a unit of the log-in information. Also provided are a generator, arranged to generate price data of the new consumable in accordance with the incentive in the unit of the log-in information, and a provider, which provides the logged-in client computer with the price data corresponding to the log-in information of that client computer to display a price of the new consumable on the order screen.

Among other important features of the server of Claim 94, is that the user's incentive is calculated in accordance with the user's ordering of a new consumable and collecting (returning) of a used consumable, in units of log-in information. In particular, the user's incentive is calculated if there are plural instances of such ordering and collection, but not if there is only one instance of ordering or collection. By virtue of this feature, there is promoted, not simply the sale of more of the consumable or the collection of used items, but the combination of both collection and ordering more of the consumable. Furthermore, the price of the new consumable can be generated in accordance with the calculated user's incentive, and is displayed on an order screen used by the user, so that the user can easily confirm what the current incentive is, and order the new consumable, by accessing the sever, say, via a web site. In contrast, if one server is used to confirm the user's incentive and another server is used to order more of the consumable, and must be accessed via different web sites, relatively cumbersome operations are required of the user, who first must accesses the server to confirm her or his incentive, and second must access the second server to order new consumable.

Accordingly to the *AAPA*, an incentive is given simply in accordance with collection of a used consumable returned from a user.

Walker relates to a POS system that manages purchase data and calculates an incentive earned. The *Walker* system monitors pronunciation of prompts during a POS transaction, and the prompter is eligible for an incentive bonus if the percentage of prompts spoken correctly is over a threshold value, the size of the bonus being determined by the exact value of the percentage correct. Other factors that can be taken into account are the

prompter remember or failing to make the prompt (an offer of a further sale or enhancement of the sale value) at the POS.

Alnwick relates to a system in which an incentive is given to a client in Internet sales. *Storey* relates to management of incentives in Internet sales.

Even if all three cited patent documents are deemed to show what they are cited for, however, the result of their combination (assuming that the proposed combination would even be a permissible one) would not meet the terms of Claim 94. For instance, that combination would not teach or suggest (i) calculating an incentive based on a plurality of order data and a plurality of collecting data stored in a database in a unit of log-in information, much less (ii) generating price data of a new consumable in accordance with the incentive in the unit of the log-in information, or (iii) providing a logged-in client computer with the price data corresponding to the log-in information of that client computer to display a price of the new consumable on an order screen, as recited in Claim 94. For all these reasons, it is believed to be clear that Claim 94 is allowable over the AAPA and these three patent documents, taken separately or in any proper combination (if any).

Independent Claims 100 and 104 are method and program claims, respectively, corresponding to apparatus Claim 94, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 94.

The other claims in this application are each dependent from independent Claim 94, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however,

the individual consideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. P. Diana', is written over a horizontal line.

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